IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4382 OF 2006

Mr. Rahul Sahebrao Jadhav .. Petitioner

Vs.

1. University of Pune and ors. .. Respondents

Mr. S.M. Gorwadkar for petitioner.
Mr. Girish S. Kulkarni with Smt. M.G. Kulkarni for respondent nos.1 and 2.

CORAM: B.H. MARLAPALLE & J. H. BHATIA,JJ.

Date : November 17, 2006.

P.C.:

1. Heard Mr. Gorwadkar the learned counsel for the petitioner and Mr. Kulkarni the learned counsel for respondent nos.1 and 2.

2. The petitioner is a Ph.D. student enrolled on or about 22/9/1998. On account of certain subsequent developments he had submitted a representation on 1/8/2005 to the Vice Chancellor of the respondent nos.1-University and has also submitted his undertaking on 16/8/2005 as required by his

Supervisors.

3. Our attention has been invited to the representation submitted by the petitioner on 8/9/2000 seeking permission or No Objection Certificate to submit and defend the thesis independently pursuant to the letter dated 9/6/2000 addressed by the University to him. However, by its letter dated 24/10/2000 the University informed him that his request to submit and defend the thesis independently cannot be granted as per Rules. He was further informed that since his guides have not given No Objection Certificate, he would have either to work under his guides or change the topic and register for Ph.D. with the new guide. Whereas the petitioner contends that the conditions set out in the communication signed by the guides and enclosed with the letter dated 9/6/2000 were complied with by him. The respondent nos.1 and 2 dispute these contentions seriously.

4. It is evident that if the petitioner complies with the conditions set out by the guides, there does not appear to be any difficulty in issuing No

Objection Certificate in his favour.

5. In case the petitioner takes fresh steps for compliance of the conditions set out (four conditions) by the guides i.e. Dr.Mrs. A.S. Gadgil and Dr. N.J. Pawar vide their letter dated 16/5/2005 within a period of four weeks from today, we direct the respondent nos.1 and 2 to decide the issue of grant of NOC to the petitioner afresh and undoubtedly as per the Rules of the University, within a period of eight weeks thereafter.

6. The petition is disposed off in terms of the above directions.

(J.H. Bhatia, J.) **(B.H. Marlapalle,J.)**